

FILED

JUL 14 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

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5      UNITED STATES DISTRICT COURT  
6      NORTHERN DISTRICT OF CALIFORNIA

7      C-06-4842-SBA  
8      C-07-4446-SBA

9      Case No. C08-23 52 SBA

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11     Document Name:

12     Case Management Statement

13     Initials of the

14     44-Assignment

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5 **UNITED STATES DISTRICT COURT**  
6 **NORTHERN DISTRICT OF CALIFORNIA**

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10 Plaintiff / Petitioner )  
11 VS. )  
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14 Defendant / Respondent )  
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Case No. \_\_\_\_\_

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## CASE MANAGEMENT STATEMENT

*This*

1. It is difficult for the Counsel to ascertain what the basis for the court's subject matter jurisdiction is since, although in the opening paragraph of Your Honor's Stand Order, several matters are mentioned over which the court has jurisdiction, but the actual basis for that jurisdiction is nowhere mentioned.
2. I assume that The Uniform Visitor Policy, which was amended July 11, 2008, was at that time, in its form as an Ordinance was the law governing the visitation rights of residents of SRO hotels in this city. The factual issue in dispute is simple: I dispute the right of the Board of Supervisors to regulate the private lives of citizens of the United States by creating a Task Force to write a Visitor Policy which then became an Ordinance enforced by the San Francisco Rent Stabilization and Arbitration Board. This arbitrary action on the part of these agencies of the government of this city, clearly violates the 14th Amendment, Section 1, of which states that "No State shall make any law abridging the liberty and freedom of citizens of the United States".
3. The Legal issue is this: It is a criminal act to violate any law of the United States and the Constitution of the United States is such a law. There is therefore no need to refer to specific statutes and decisions.
4. I intend, if the ~~defendants~~ are found guilty after being duly tried by a jury of ~~their~~ peers, that they immediately be remanded to jail. *to make a motion*
5. I propose that Your Honor set the deadline for ~~answering~~ the pleadings.
6. I am sorry to say that given my ~~economic~~ circumstances, I am unable to prevent the destruction by the defendants of incriminating materials.
7. I have not met the disclosure requirement of Fed R Civ. P. 26 because I have nothing to disclose beyond my intent to ~~ask~~ Mr. Herrera prosecute this case to the full extent of the law if he ~~is~~ willing.
8. I have no discovery plan for ~~the~~ reasons stated above.
9. This is a class action since all SRO ~~residents~~ in this city have been injured by the actions of members of the government of this city in the manner I have stated in paragraphs 2 and 3. above.
10. To my knowledge there are no other related cases or proceedings pending before another judge of this court, or before another court or administrative body.

11. I seek an Order from Your Honor declaring the Uniform Visitor policy ~~reduces~~ null and void and damages in the amount of \$10,000 ~~to~~ each resident of each SRO hotel in this city. The sum of \$10,000 is an arbitrary amount arrived at by my personal calculation. This amount is sought as damage ~~to SRO residents~~ because each resident's lives have been ~~hurt~~ by this arbitrary action taken as I believe, with malice aforethought, by each individual member of the Rent Board who, by vote, ordered to Uniform Visitor Policy posted and enforced in each SRO Hotel in this city, if liability is established.
12. As Counsel Pro se, I intend to meet and confer with the defendants on or before July 23, 2008 and discuss with them ~~the~~ ~~ADR~~ proposal for early settlemt ~~they~~ ~~may submit, the ADR process selection and any discovery plan they may propose. I should say at this point, that I do not intend to settle and therefore I have no ADR plan~~ ~~to submit~~.
13. I do consent to have Magistrate Judge Edward M. Chen conduct all proceedings including trial and entry of judgement.
14. I do not believe this case is suitable for reference to ~~binding arbitration, a special master or the Judicial Panel on Multidistrict Litigation.~~
15. The issue, ~~arbitrary and willful violation of the 14th Amendment to the Constitution by members of the Rent Board, individually or in concert~~ cannot be narrowed by agreement or in any other way.
16. I believe that this case cannot be ~~handled~~ in any way except by jury trial.
17. I propose July 22, 2008 for the defense to discover to me its experts and so on and, further, August 2, 2008 for the hearing of dispositive motions and the pretrial conference. I understand that it is not for me but for Your Honor to set the date for trial.
18. I expect this case to be tried to a jury and, since the issue is clear-cut, that the trial will last no more than 5 days.
19. I will submit the Certification of Interested Entities or Persons ~~under separate cover.~~
20. I know of no other matters that will facilitate the just, speedy and inexpensive disposition of this matter

*Vance S. Elliott*  
Vance S. Elliott  
Counsel Pro se